

1 EDMUND G. BROWN JR.  
Attorney General of the State of California  
2 DAVID S. CHANEY  
Chief Assistant Attorney General  
3 FRANCES T. GRUNDER  
Senior Assistant Attorney General  
4 THOMAS S. PATTERSON  
Supervising Deputy Attorney General  
5 KENNETH T. ROOST, State Bar No. 231444  
Deputy Attorney General  
6 455 Golden Gate Avenue, Suite 11000  
San Francisco, CA 94102-7004  
7 Telephone: (415) 703-5824  
Fax: (415) 703-5843  
8 Email: Ken.Roost@doj.ca.gov

9 Attorneys for Defendants  
Sather, Crawford, Curry, and Abanico  
10

11  
12 IN THE UNITED STATES DISTRICT COURT  
13 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
14 SAN JOSE DIVISION

15 **IVAN VERNARD CLEVELAND,**

16 Plaintiff,

17 v.

18 **BEN CURRY, Warden, et al.,**

19 Defendants.  
20

C 07-2809 JF (PR)

**DECLARATION OF  
SERGEANT ALANIS IN  
SUPPORT OF DEFENDANTS'  
MOTION FOR SUMMARY  
JUDGMENT**

21 I, Sgt. Alanis, declare:

22 1. I am a correctional sergeant, and have worked for the California Department of  
23 Corrections and Rehabilitation (CDCR) for seventeen years. I am presently the curriculum  
24 liaison at CDCR's Richard A. McGee Correctional Training Center, a position I have held since  
25 2004. The training center provides mandatory training for all prospective CDCR correctional  
26 officers, and is the only center to provide such training. In my current position, I am familiar  
27 with the center's curriculum and policies. I am competent to testify to the matters set forth in  
28 this declaration, and if called upon to do so, I would and could so testify. I submit this

Decl. Alanis Supp. Defs.' Mot. Summ. J.

*Cleveland v. Curry, et al.*  
C 07-2809 JF (PR)

1 declaration in support of Defendants' motion for summary judgment.

2 2. Training for clothed-body and unclothed-body searches is part of the curriculum for all  
3 students at the center. The training incorporates both lectures and documentation.

4 3. I have reviewed the declaration of Defendant Abanico filed in support of Defendants'  
5 motion for summary judgment, and find that Abanico's self-described body-search procedure  
6 conforms with the training given by the training center.

7 4. Searches can be considered physically intrusive. In particular, during clothed-body  
8 searches, correctional officers are instructed to cup the groin of male inmates to check for  
9 contraband, or to sweep across the groin. Correctional officers must also run their hands along  
10 inmates' inner thighs.


11 5. Some inmates are very hostile about being searched, complain of being disrespected or  
12 harassed, and may accuse searching officers of abusing authority.

13 6. But inmate searches are integral to promoting the safety and security of staff, inmates,  
14 the prison, and the public. Searches help to prevent dangerous contraband, inmate escapes, and  
15 theft among inmates.

16 7. Random clothed-body searches of inmates is mandated by the California Code of  
17 Regulations, title 15, section 3287(c), as well as the Department Operations Manual, sections  
18 52050.18.1-2.

19 I declare under penalty of perjury that the foregoing is true and correct of my own  
20 knowledge.

21 Executed March 28, 2008, in Galt, California.

22  
23  
24  Sgt. Alanis  
25

26 40233375.wpd  
27 SF2005203176  
28